

## **CHAPTER 7, PART B. EXCERPTS FROM OFFICIAL REGULATIONS FOR CSC**

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### **7B-1. INTRODUCTION**

The contents of this chapter contain excerpts from the official regulations referenced in Chapter 7, Part A of this Supply Bulletin. These excerpts are for clarification, explanation, and retention of the reader to validate safety inspection requirements (see paragraph 9A-2/3).

### **7B-2. ADDITIONAL INFORMATION**

Each official document contains volumes of information in its totality. These excerpts are intended to be a part of this Supply Bulletin in order to maintain official continuity within the US Army and Department of Defense.

### **7B-3. DEFINITIONS SPECIFIC TO CHAPTERS REFERENCED IN CSC REGULATIONS**

a. ***Code of Federal Regulations (CFR)***: The Code of Federal Regulations (CFR) is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government. It is divided into 50 titles that represent broad areas subject to Federal regulation.

b. ***CFR Title 49***: Transportation

c. **Component-Owned Container**: A 20- or 40-foot International Organization for Standardization container procured and owned by a single Department of Defense component. May be either on an individual unit property book or contained within a component pool (e.g., United States Marine Corps maritime pre-positioning force containers). May be temporarily assigned to the Department of Defense common-use container system. Also called a Service-unique container.

d. **Defense Transportation System (DTS)**: The Defense Transportation System is that portion of the worldwide transportation infrastructure that supports Department of Defense transportation needs in peace and war. The Defense Transportation System consists of two major elements: military (organic) and commercial resources. These resources include aircraft, assets, services, and systems organic to, contracted for, or controlled by the Department of Defense. The Defense Transportation System infrastructure, including ports, airlift, sealift, railway, highway, in transit visibility, information management systems, customs, and traffic management that the Department of Defense maintains and exercises in peacetime, is a vital element of the Department of Defense capability to project power worldwide. It provides for responsive force projection and a seamless transition between peacetime and wartime operations.

e. **Institute of International Container Lessors (IICL):** The IICL member companies engage in leasing marine cargo containers to ship operators and others on a broad international basis. Member companies own approximately 97% of the leased container fleet, roughly half of the world container fleet, as well as own and lease a high percentage of the US chassis fleet. On behalf of member companies, IICL is active in governmental, regulatory, customs, tax, educational, technological and environmental matters.

f. **International Convention for Safe Containers (CSC):** A convention held in Geneva, Switzerland, on 2 December 1972, which resulted in setting standard safety requirements for containers moving in international transport. These requirements were ratified by the United States on 3 January 1978.

g. **International Maritime Dangerous Goods Code (IMDGC):** The IMDG Code is intended to provide for the safe transportation of hazardous materials by vessel, protect crew members and to prevent marine pollution. IMDG code was developed as a uniform international code for the transport of dangerous goods by sea covering such matters as packing, container traffic and stowage, with particular reference to the segregation of incompatible substances. Although it is directed primarily at sea transport, the provisions of the Code may affect a whole range of industries and services. Manufacturers, packers, shippers, feeder services such as road and rail and port authorities will find authoritative advice on classification, stowage, segregation, packing, labeling, terminology and emergency response action listed in the code.

h. **International Organization for Standardization (ISO):** A worldwide federation of national standards bodies from some 100 countries, one from each country. The International Organization for Standardization is a non-governmental organization, established to promote the development of standardization and related activities in the world with a view to facilitating the international exchange of goods and services, and to developing cooperation in the spheres of intellectual, scientific, technological, and economic activity. International Organization for Standardization's work results in international agreements, which are published as international standards.

i. **United States Code USC:** The United States Code is the codification by subject matter of the general and permanent laws of the United States. It is divided by broad subjects into 50 titles and published by the Office of the Law Revision Counsel of the US House of Representatives.

j. **USC Title 46 Appendix:** Shipping

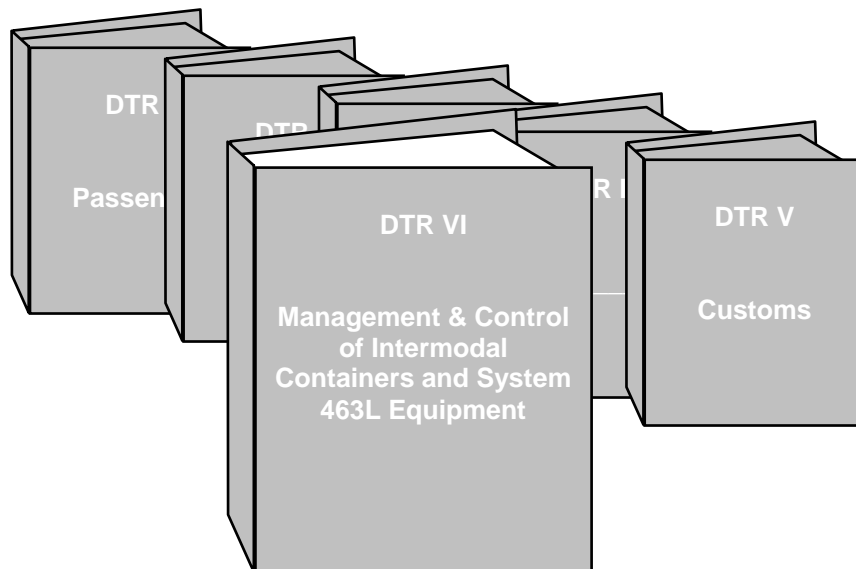
7B-4. EXCERPT FROM DOD 4500.9-R



**DOD 4500.9-R**

# **DEFENSE TRANSPORTATION REGULATION PART VI**

## **MANAGEMENT AND CONTROL OF INTERMODAL CONTAINERS AND SYSTEM 463L EQUIPMENT**



June 2006

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DOD 4500.9-R: DEFENSE TRANSPORTATION REGULATION PART VI

MANAGEMENT AND CONTROL OF INTERMODAL CONTAINERS AND SYSTEM 463L EQUIPMENT

CHAPTER 604: CONTAINER INSPECTION, REINSPECTION, MAINTENANCE, AND REPAIR

**B. Policy**

1. All ISO containers that move in DTS must be certified to meet *49 CFR* and *CSC/46 U.S.C app. 1503* standards. Activities possessing DOD container(s) that transit the DTS will inspect, re-inspect, and perform organizational (user) level maintenance on containers. Inspectors qualified to certify that containers meet

*49 CFR and CSC/46 U.S.C app. 1503* standards will visually inspect containers for damage and/or serviceability before stuffing to ensure safe movement. Loaded containers will be visually inspected at each transit node.

4. Dry Cargo Container Criteria. DOD criteria for inspection, re-inspection, and selection of containers for shipment of dry cargo other than ammunition will be standards established by the *CSC/46 U.S.C app 1503*. Commercial container leasing standards, such as the current edition of the IICL standards that meet *CSC/46 U.S.C app, 1503* criteria will be accepted in lieu of separate, unique DOD standards. *MIL-HDBK-138B* incorporates IICL standards for inspection criteria for dry cargo (non-ammunition) containers.

6. ISO-Configured Tactical Shelters. *MIL-HDBK-138B* includes inspection criteria for ISO configured tactical shelters.

**C. Responsibilities**

1. Services and DOD Agencies will do the following for all ISO configured containers on their accounts or under their control that require CSC certification for movement in DTS.

a. IAW *49 CFR 452*, ensure containers are examined for serviceability by certified school-trained inspectors every 30 months to meet *CSC/46 U.S.C app. 1503* or IMDGC standards. Ensure all inspections are accomplished IAW *MIL-HDBK-138B*

**D. Procedures**

2. Required Periodic Re-inspections. ISO containers require re-inspection and recertification prior to the expiration of date on the DD Form 2282 (Convention for Safe Containers Inspection Decal). Use the checklist found in Appendix A.

a. Containers with less than 60 days to required re-inspection should be re-inspected prior to any loading and transport. Plated items that are in-transit with less than 60 days before re-inspection may continue to proceed to their destination for unloading if they have no obvious safety defects. However, they must be re-inspected as soon as possible and cannot be reloaded (stuffed) before re-inspection.

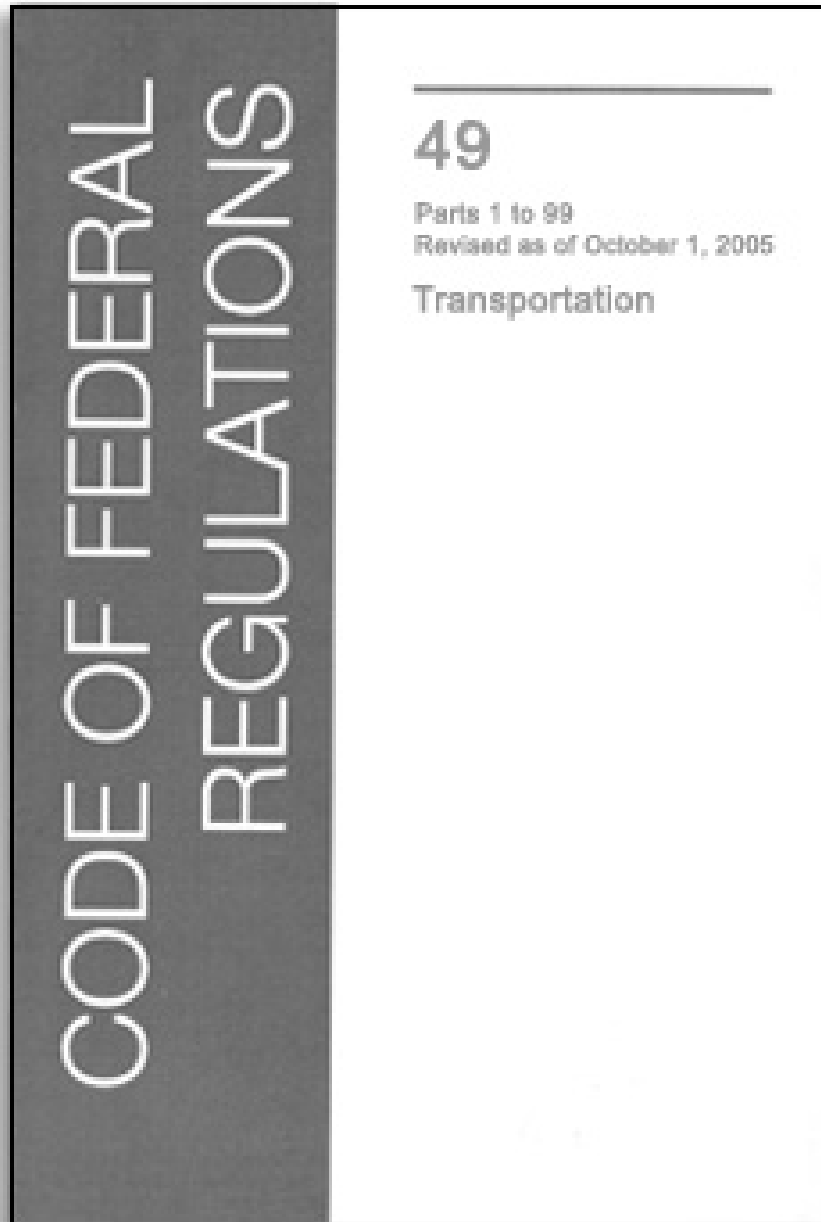
b. ISO containers that do not comply with periodic re-inspection requirements will be placed under detention. Detention is the prime tool of the US Coast Guard and foreign governments to control and enforce *CSC/46 U.S.C app. 1503* requirements. It prohibits or limits movement of containers not meeting standards. Such equipment may not be moved in or loaded for movement in the DTS until standards are met. Detention orders will also be issued for unapproved containers and/or containers presenting an obvious risk to safety.

## **E. Maintenance and Repair**

### **3. Component-Owned Container Maintenance and Repair**

a. Component-owned containers will be maintained at *CSC/IMDG Code* standards as directed by the Component.

**7B-5. EXCERPT FROM CFR TITLE 49, VOLUME**



*Code of Federal Regulations  
Title 49, Volume 6*

Revised as of October 1, 2005

## **Title 49: Transportation**

### **Chapter IV: Coast Guard, Department Of Homeland Security**

#### **Subchapter B: Safety Approval of Cargo Containers**

#### **Part 452 EXAMINATION OF CONTAINERS**

- Sec. 452.1 Periodic examination required.  
452.3 Elements of periodic examinations.  
452.5 Examinations made in conjunction with other inspections.  
452.7 Continuous examination program.  
452.9 Elements of a continuous examination program.

Authority: Sec. 4, 91 Stat 1475 (46 U.S.C 1503); Department of Homeland Security Delegation No. 0170.1.

#### **Sec. 452.1: Periodic examination required.**

(a) Except as provided for in Sec. 452.7, each owner of an approved container subject to this part shall examine the container or have it examined in accordance with the procedures prescribed in Sec. 452.3 at intervals of not more than 30 months, except that for containers approved as new containers, the interval from the date of manufacture to the date of the first examination must not exceed five years.

(b) Upon completion of an examination required by this part, the owner shall mark on the safety approval plate, or on the container itself as close as practicable to the safety approval plate, the month and year before which the container must next be examined. This marking must be on all containers by January 1, 1987. The marking may be by a decal, sticker, stencil, or other means so long as it is capable of remaining legible for at least 24 months. Affixing such a marking to a container that has not been examined in accordance with Sec. 452.3 constitutes a misrepresentation in a matter within the jurisdiction of an agency of the United States, and makes the owner punishable under 18 U.S.C 1001.

(c) The owner of containers subject to this section shall have those containers examined in accordance with the program prescribed in this section regardless of whether the examinations are preformed within or outside the United States.

[45 FR 37216, June 2, 1980, as amended at 47 FR 50496, Nov. 8, 1982; 49 FR 15562, Apr. 19, 1984; 69 FR 58353, Sept. 30, 2004]

**Sec. 452.3: Elements of periodic examinations.**

(a) Periodic examinations required by Sec. 452.1 must conform to the following minimum requirements:

(1) Each examination must include a detailed visual inspection for defects such as cracks, failures, corrosion, missing or deteriorated fasteners, and any other safety related deficiency or damage which could place any person in danger. Any such deficiencies disclosed by the examination must be corrected by the owner before the container is continued in service.

(2) Each examination must take into account the particular characteristics of various kinds of containers and materials of construction.

(3) Each examination must be performed by qualified personnel, trained and experienced in the detection of container structural damage.

(4) The examinations must be scheduled so as to allow adequate time for thorough performance.

(5) Each examination must apply owner established or industry accepted pass/fail criteria to determine whether a container has any deficiency that must be remedied before the container is returned to service.

(b) Examinations must be documented, and the records retained by the owner, until the next examination is completed and recorded. The records must include, in addition to identification of the container, a record of the date of last examination and a means of identifying the examiner. The records must be maintained in an office under the control of the owner and be made available for inspection by the Coast Guard upon demand. If the original records are maintained outside the United States, its territories or possessions, supplementary records must be available in written or data processing form to be produced on demand of the Commandant or his representative.

[45 FR 37216, June 2, 1980; as amended at 69 FR 58353, Sept. 30, 2004]

**Sec. 452.5: Examinations made in conjunction with other inspections.**

(a) Periodic examinations may be made in conjunction with or as part of routine change-of-custody inspections, or in any other manner convenient to the owner so long as the examinations conform to the requirements of Sec. 452.3.

[45 FR 37216, June 2, 1980]



**7B-6. EXCERPT FROM US CODE TITLE 46, APPENDIX SHIPPING****US CODE TITLE 46, APPENDIX SHIPPING  
CHAPTER 34 – SAFE CONTAINERS FOR INTERNATIONAL CARGO**

01/03/05

**Sec. 1503: Duties of Secretary of Transportation****(b) Regulations**

The Secretary shall, as soon as practicable after December 13, 1977, promulgate, and from time to time, amend, those regulations he deems necessary for such enforcement. Such regulations, among other things, shall –

(2) establish procedures to be followed by owners of containers relating to the periodic examination of containers, as provided in the Convention;

**Sec. 1504. Areas of enforcement**

(a) Examination of containers; detention orders; restriction or removal of containers from service

(1) On and after the date the instrument ... the Secretary may -

(A) examine, or require to be examined, new containers, and existing containers which are subject to this chapter, in international transport, and test, inspect, and approve designs for new containers and new containers being manufactured;

(B) issue a detention order removing or excluding a container from service until the owner of the container establishes to the Secretary's satisfaction that the container meets the standards of the Convention, if the container is subject to this chapter and does not have a valid safety approval plate attached to it, or if there is significant evidence that such a container bearing a safety approval plate is in a condition which creates an obvious risk to safety; and

(C) take whatever other appropriate action he deems necessary, including issuance of any necessary orders, to remove the container involved from service, or restrict its use, in those instances where he finds that a container is not in compliance with the provisions of this chapter or the Convention but does not present an obvious risk to safety.

The Secretary may permit the movement to another location of a container which he finds to be unsafe or which does not have a valid safety approval plate affixed to it, under whatever restriction he considers necessary and consistent with the intent of the Convention, for repair or other appropriate disposition.

**Sec. 1505. Penalties**

(a) Civil penalty

On and after the date the instrument of ratification is deposited by the United States in accordance with the provisions of article VII of the Convention, any owner, agent, or custodian who -

(1) has been notified ... Appendix; and

(2) fails to take reasonable and prompt action to prevent or stop a container subject to that order from being moved in violation of that order; shall be subject to a civil penalty of not more than \$5,000 for each container so moved. Each day the container remains in service while the order is in effect shall be treated as a separate violation.